

# EXECUTIVE COUNCIL OF IOWA

## MINUTES

### DECEMBER 12, 2011

The Executive Council met in regular session at 10:02 a.m. Room G09 of the Capitol Building with Governor Terry Branstad presiding. Secretary of State Matt Schultz, Auditor of State David Vaudt and Treasurer of State Michael Fitzgerald were present. Secretary of Agriculture William Northey was absent

Regular session  
December 12,  
2011

Moved by Auditor Vaudt and seconded by Treasurer Fitzgerald that the Council approve the minutes of the Executive Council and Board of Canvass meetings held November 21, 2011.

Minutes  
Approved

The vote:      Ayes:      Governor Branstad  
   Secretary Schultz  
   Auditor Vaudt  
   Treasurer Fitzgerald  
                         Nays:      None

Rick Swizdor, Deputy Administrator, Department of Commerce Alcoholic Beverages Division was present to request a new membership in Iowa Grocery Industry Association for one year in the amount of \$500.00

Approved New  
Memberships

Moved by Treasurer Fitzgerald and seconded by Auditor Vaudt that the Council approve the request.

The vote:      Ayes:      Governor Branstad  
   Secretary Schultz  
   Auditor Vaudt  
   Treasurer Fitzgerald  
                         Nays:      None

Moved by Secretary Schultz and seconded by Auditor Vaudt that the Council approve the request from the Department of Justice, Attorney General's office as follows:

Approved  
Outside  
Counsel

Retention of Special Counsel to assist the Department of Natural Resources with interpretations and modifications of existing hotel management agreement regarding Honey Creek Premier Destination State Park.

Attorney: Ms. Cristina Kuhn  
Firm: Dorsey & Whitney LLP  
801 Grand Avenue, Suite 3900  
Des Moines, IA 50309-2790  
Rate: \$295.00

The vote: Ayes: Governor Branstad  
Secretary Schultz  
Auditor Vaudt  
Treasurer Fitzgerald  
Nays: None

Moved by Auditor Vaudt and seconded by Secretary Schultz that the Council approve the following lease:

Approved  
Leases

Lease between DNR and Blackhawk Fleet, Inc. Davenport, IA  
Date of Lease: Five Year Ending December 31, 2016  
Legal Description: A parcel 670 feet long by 200 feet wide with a 150 foot long by 35 foot wide appendage located in Section 24, Township 77 North, Range 2 East, Scott County, Iowa adjacent to property owned by the tenant at 6725 S. Concord Street Davenport, IA at Mississippi River Mile 475.4.  
Annual Fee: \$10,549.58

The vote: Ayes: Governor Branstad  
Secretary Schultz  
Auditor Vaudt  
Treasurer Fitzgerald  
Nays: None

Moved by Treasurer Fitzgerald and seconded by Auditor Vaudt that the Council approve the following cost items:

Approved Cost  
Items

A. Patterson Law Firm L.L.P..... \$963.00  
729 Insurance Exchange Building  
505 Fifth Avenue  
Des Moines, IA 50309-2390  
Thomas Prine v. Iowa Department of Transportation, State of Iowa and  
Second Injury Fund

- B. Dow, Lohnes PLLC.....\$1,967.65  
1200 New Hampshire Ave NW Suite 800  
Washington, DC 20036  
Iowa Public Television
- C. Coppola, McConville, Coppola, Hockenberg & Scalise, P.C.....\$5,000.00  
2100 Westown Parkway, Suite 210  
West Des Moines, IA 50265-1539  
Mortgage Industry Practices
- D. Davis, Brown, Koehn, Shors & Roberts, P.C..... \$1,716.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Represent Iowa in copyright, trademark, and patent legal advice for various agencies
- E. Davis, Brown, Koehn, Shors & Roberts, P.C.....\$725.00  
The Davis Brown Tower  
215 10<sup>th</sup> Street, Suite 1300  
Des Moines, IA 50309-3993  
Legal Services to state agencies on issues related to the visa status of prospective state employees
- F. Simmons Perrine Moyer Bergman PLC.....\$60,275.47  
115 Third Street SE, Suite 1200  
Cedar Rapids, IA 52402  
Tobacco Settlement Authority
- G. McDowell, Rice, Smith & Buchanan.....\$21,115.87  
605 West 47<sup>th</sup> Street, Suite 350  
Kansas City, MO 64112  
Tobacco Settlement Authority
- H. Dorsey & Whitney.....\$1,327.50  
801 Grand Avenue, Suite 3900  
Des Moines, IA 50309  
Honey Creek Premier Destination State Park
- I. Dept. of Administrative Services & Dept. of Human Services ...\$61,204.32  
On August 9, 2009 the Eldora State Training school sustained storm/hail damage to the Campus.
- J. Dept. of Administrative Services—General Services Enterprise....\$2,680.84  
On May 25, 2011 there was a lightning strike at the Ankeny Lab causing damage to the Fire Alarm System. Request is to cover repair costs.  
This represents full and final payment and this allocation will be closed.

K. Dept. of Administrative Services, General Services Enterprise...\$87,698.15  
On March 15, 2010 damaged was caused due to the collapse of North  
Hillside on Court Avenue. Request is to cover costs associated with  
damage.

The vote:      Ayes:              Governor Branstad  
   Secretary Schultz  
   Auditor Vaudt  
   Treasurer Fitzgerald  
                 Nays:              None

Moved by a Auditor Vaudt and seconded by Treasurer Fitzgerald that the  
Council approve the following renewal memberships:

Approved  
Renewal  
Memberships

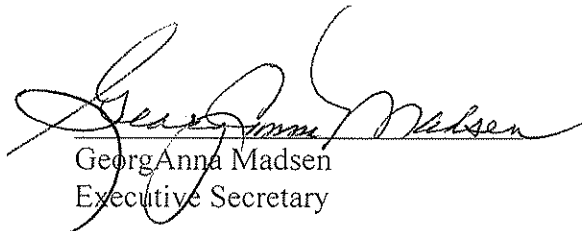
- A. Agriculture in Association of American Pesticide Control Officials in the  
amount of \$155.00 for January 1 - December 31, 2012.
- B. Agriculture in Soil and Water Conservation Society in the amount of  
\$100.00 for January 1 - December 31, 2012.
- C. Commerce - Insurance in American Academy of Actuaies in the amount of  
\$610.00 for January 1 - December 31, 2012.
- D. Commerce - Insurance in Casualty Actuarial Society in the amount of  
\$450.00 for October 1, 2011 - September 30, 2012.
- E. Commerce - Insurance in Society of Actuaries in the amount of \$575.00 for  
January 1 - December 31, 2012.
- F. Economic Development in American Wind Energy Association (AWEA)  
in the amount of \$1,700.00 for January 1 - December 31, 2012.
- G. Economic Development in Iowa Wind Energy Association (IWEA) in the  
amount of \$300.00 for January 1 - December 31, 2012.
- H. Education in National Alliance for Partnerships in Equity in the amount of  
\$5,000.00 for July 1, 2011 - June 30, 2012.
- I. Health in Association of Immunication Managers in the amount of \$500.00  
for January 1 - December 31, 2012.
- J. Health in Council for State and Territorial Epidemiologist (CSTE) in the  
amount of \$1,200.00 for January 1 - December 31, 2012.
- K. Health in HL7.org in the amount of \$1,050.00 for November 4, 2011 -  
November 3, 2012.

- L. Health in Iowa Food Systems Council in the amount of \$100.00 for January 1 - December 31, 2012.
- M. Health in National Association of Local Boards of Health (NALBOH) in the amount of \$225.00 for January 1 - December 31, 2012.
- N. Iowa Finance Authority in Iowa Home Ownership Education Project in the amount of \$500.00 for January 1 - December 31, 2012.
- O. Iowa Finance Authority in Iowa Mortgage Association in the amount of \$200.00 for January 1 - December 31, 2012.
- P. Iowa Finance Authority in National Association of Housing & Redevelopment Officials (NAHRO) in the amount of \$665.00 for March 1, 2012 - February 28, 2013.
- Q. Iowa Workforce Development in Professional Developers of Iowa in the amount of \$290.00 for January 1 - December 31, 2012.
- R. Secretary of State in NASED - National Association of State Election Directors in the amount of \$415.00 for January 1 - December 31, 2012.
- S. Vocational Rehabilitation in Burlington/West Burlington Area Chamber of Commerce in the amount of \$279.00 for December 1, 2011 - December 31, 2012.

The vote:      Ayes:              Governor Branstad  
   Secretary Schultz  
   Auditor Vaudt  
   Treasurer Fitzgerald  
                         Nays:              None

The meeting was adjourned at 10:08 a.m.

Respectfully submitted,

  
Georganna Madsen  
Executive Secretary

Meeting  
adjourned